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UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Hari K. Ravichandran
Assignee: Sun Microsystems, Inc.
Title: Apparatus and Method for Processor Performance Monitoring
Serial No.: 10/056,244²³⁴ Filing Date: January 22, 2002
Examiner: Aaron D. Matthew Group Art Unit: 2114
Docket No.: P2678 Customer No.: 33438

Austin, Texas
October 26, 2005

Mail Stop Appeal Brief - Patents
Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF UNDER 37 CFR § 41.37

Dear Sir:

Applicant submits this Appeal Brief pursuant to the Notice of Appeal filed in this case on August 1, 2005. A check is enclosed which includes the \$500.00 fee for this Appeal Brief. The Board is also authorized to deduct any other amounts required for this appeal brief and to credit any amounts overpaid to Deposit Account. No. 502264.

I. REAL PARTY IN INTEREST - 37 CFR § 41.37(c)(1)(i)

The real party in interest is the assignee, Sun Microsystems, Inc., as named in the caption above and as evidenced by the assignment set forth at Reel 8846, Frame 0757.

II. RELATED APPEALS AND INTERFERENCES - 37 CFR § 41.37(c)(1)(ii)

Based on information and belief, there are no appeals or interferences that could directly affect or be directly affected by or have a bearing on the decision by the Board of Patent Appeals and Interferences in the pending appeal.

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IX. EVIDENCE APPENDIX - 37 CFR § 41.37(c)(1)(ix)

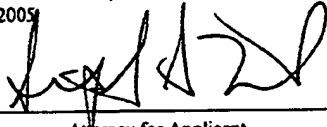
None

X. RELATED PROCEEDINGS APPENDIX - 37 CFR § 41.37(c)(1)(x)

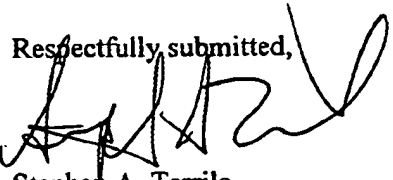
None

XI. CONCLUSION

For the reasons set forth above, Applicant respectfully submits that the rejection of pending Claims 9 - 19 is unfounded, and requests that the rejection of claims 9 - 19 be reversed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Appeal Brief - Patents, Board of Patent Appeals and Interferences, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on October 26, 2005.	
	10/26/05
Attorney for Applicant	Date of Signature

Respectfully submitted,


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Reg. No. 32,946